Secretary to Government, Development Department.—

He does not levy the tax straightway but issues a notice calling for his financial returns.

Mr. Sarabhanna.—

Some landlords have no income excepting that derived from agriculture. Have not the authorities given notice to such persons ?

Second Member of Council.—

As already stated, the remedy lies in producing the accounts as soon as notice is received.

Mr. Subbanna Naik.—

The trouble is that most of the parties are illiterate and cannot maintain any accounts. How can you insist on their producing accounts ? They cannot afford to pay and maintain a clerk for keeping accounts. At least will Government instruct the Amildars to verify the information received from their subordinates before sending up their reports ?

Secretary to Government, Development Department.—

No officer submits his reports, presumably, without verification.

RESOLUTIONS—(*Concluded*).

Resolution No. 8—(Concluded).

Continuing his speech from where he had left it the previous day, MR. M. P. SOMASEKHARA RAO said that the resolution was not aimed at interfering with any private rights and liberties of others. It did not contemplate that the Harijans should be given the right to enter into any private chattram or to use water from a private well or tank. It only wanted that wherever chattrams, tanks, wells, etc., had been constructed from the general revenues, the Harijan's right to make use of them should be conceded just as in the case of any other citizen. The speaker said that this was the most appropriate time for adopting such a reform and requested the House to vote in favour of the resolution.

MR. P. MURUGESAM PILLAY whole-heartedly supported the resolution. He pointed out that the question of ameliorating the condition of the depressed classes had been coming up before the Assembly in some form or other ever

since 1921. Though relief had been provided in a few respects, a lot more still remained to be done. Mysore enjoyed a high reputation in the outside world. His Highness the Maharaja of Mysore was recognized everywhere as a pious, liberal-minded and progressive ruler. It was therefore up to the subjects of Mysore to be equally progressive in their ideas.

About one-fifth of the population of the State was being denied the ordinary rights of citizenship and even necessaries of life in several directions. They had not enough drinking water wells and yet they had no free access to any of the public wells or public schools. The greatest of *rishis* had recognized, first, that the best form of philanthropy consisted in providing educational facilities to poor people; and secondly, that all men were children of God and there was no difference between the soul of one and the soul of another. In fact, the high-caste Hindus were every day chanting *mantras* praying for the happiness of one and all. Such being the case, he asked whether it was not a gross injustice for the higher castes to prohibit all children of one class of His Highness' subjects from sharing the benefits of education provided from the general revenues of the State. Though the Hindu Scriptures referred only to four castes and did not contemplate untouchability, he wondered why the State should tolerate people who gave the name of Panchamas to certain people and imposed, after giving such a name, undue hardships on them. In social matters generally and in social legislation in particular, it was usual for people to point to time-honoured customs to justify the perpetuation of all existing disabilities. But at the same time, they would conveniently forget that in certain respects, they had set at nought the restrictions imposed upon themselves by those very customs, *e.g.*, the prohibition imposed on sea voyage. As was observed by Swami Vivekananda, no religion on earth preached the dignity of humanity in such a lofty strain as Hinduism and no religion on earth harassed the poor and the low class in such a fashion as Hinduism. He therefore appealed to the members for a large heart and liberal outlook in dealing with this question. It was necessary in the higher interests of the country to pass the necessary legislation. He also quoted extracts from the proceeedings of the Bombay Legislative Council to show that responsible public opinion in the Bombay Presidency was generally agreed that untouchability could be rooted out only by means of legislation when

propaganda and compromise failed. If this was not done in Mysore also, the speaker was afraid that the Hindus in Mysore would be totally alienating the sympathy of 10 lakhs of people who might have to break away from the Hindu fold and get themselves converted to other religions.

THE DEWAN enquired whether the speaker was convinced that propaganda and compromise had been sufficiently tried in Mysore, that they had failed and that therefore legislation had become quite necessary.

MR. MURUGESAM PILLAY replied that propaganda was being carried on in Mysore for the past 10 years, that resolutions and interpellations bearing on the subject were coming up almost every year, that the members had all along been expressing their sympathy towards the cause and yet the practical sympathy shown to the depressed classes was very meagre. If, however, Government thought that the propaganda carried on so far was not adequate, he would be grateful to them for sanctioning the appointment of some Hindu missionaries to carry on further propaganda work. As a result of the good work done so far, he thought that some of the evils of untouchability had been removed; but unless the remaining evils also were removed, he apprehended that the high-caste Hindus would have to face a severe struggle with the Harijans.

Reviewing the advance already made by a handful of educated Harijans, Mr. Murugesam Pillay said that by coming in contact with the other communities, they had learnt to be clean and show progress in other directions also. And if they were allowed some freedom on the lines suggested in the resolution, they would certainly be so much the better for it. If, on the other hand, they were kept under undue restraints, they would deteriorate. He therefore appealed to the House to create all possible facilities for their advancement, such as by throwing open to them all the public places. After hearing the discussions that had taken place on the question so far, he felt that legislation was not quite necessary; if all the high-caste Hindus were convinced about the justice of showing practical sympathy for the depressed classes, there would be no need even for the Government interference.

MR. M. V. NARAYANA MURTHY in further supporting the resolution, pointed out that what was asked for in this resolution was that the rights and privileges enjoyed generally by all the other communities should also be extended to the Harijans. He was glad that in recent years, no objection

was being raised to their using public tanks. Similarly, he requested that the restrictions in respect of other places of public utility should also be removed.

As regards the fears expressed by the previous speakers that legislation in social matters might lead to rioting, etc., the speaker thought that they were all groundless. In support of his contention, he recalled to mind the intensity of feeling that had expressed itself throughout the State when all public schools were ordered to be thrown open to the depressed class pupils and how it vanished as time went on, so much so every one became reconciled to it at the present day. The experience of Bombay and Central Provinces was very encouraging, and if necessary legislation was passed in Mysore, the existing disabilities would disappear without delay.

He next referred to the suggestion that the object of the resolution could as well be achieved with the consent of the residents of each concerned, locality, and without the aid of legislation and referred to a recent instance of an Amildar having referred the contending parties to civil courts in spite of there being an executive order permitting the Harijans to use a particular tank. While such was the mentality of even Government officers, the attitude of interested persons and ignorant masses could well be gauged by it. In the circumstances, he thought it necessary to provide legal protection for the Harijans. He also suggested that Government should cause sign-boards to be put up near each place of public resort that it was open to the Harijans as much as to high-caste Hindus.

Capt. Y. V. Ayya who spoke next, opposed the resolution and said that legislation in respect of a matter like the abolition of untouchability would never achieve the desired object. It would not be right to compel any one to do a thing against his own conviction. On the other hand, propaganda and education were sure to bring about the desired result. To this end he thought that the depressed classes should first be educated to learn clean habits. Instead of this if legislation was passed and enforced, he was sure that it would tend to a breach of the peace, necessitating extra police and resulting in unnecessary misunderstandings, and thus, even the little sympathy that the higher castes had for the untouchables would be lost.

Mr. K. Munivenkatappa opposed the resolution on the ground that there was no necessity for legislation. The caste system was an artificial barrier and the fifth caste

was a sub-division which the Vedas, or the Shastras, never recognised. There was widespread awakening everywhere and all thinking men were doing their best to give a go-by to all arbitrary distinctions; so much so, at the present time there was nothing like untouchability. The depressed classes themselves knew it. Articles brought by them were touched by the high-caste men and used. In fact everybody was doing things according to his own personal convictions and not according to time-honoured customs. So, things were moving towards the goal in view and it was therefore quite unnecessary to legislate in the matter. In his opinion, social reform should properly be achieved by common consent of all concerned. The whole trouble was that those who supported reform were not sincere at heart. It would not be impossible for each patel, for example, to bring up in his own house a certain number of Adikarnataka boys. To this end it would be best that leaders of all the communities constituted themselves into a committee to carry on propaganda on suitable lines and educate the Adikarnatakas by example more than by precept.

Mr. M. S. Linge Gowda, in supporting the resolution, observed that as a result of the orders of Government to throw open all Government schools to pupils of the depressed classes, untouchability in the cities and the bigger towns had practically been abolished. In the villages there was really nothing like untouchability. The depressed classes were eating with the raiyats particularly at the time of harvesting; they drank water from common wells and tanks; members of different communities joined together in digging big wells and as soon as water was tapped, all drank together. These things pointed to the hope that within about 50 years more the entire caste system would have disappeared. But that was no reason why one should sit quiet till then. Everybody should help to wipe out untouchability as early as possible. No doubt the movement in favour of the abolition of untouchability had just gained a fillip at the hands of Mahatma Gandhi and had made such wonderful strides within recent months that, what the reformers of yore could not achieve in hundreds of years, had practically been achieved now. But still there were certain difficulties in the path of the reformers which could not be obviated except by legislation. That is why the resolution favoured legislation. Government might hesitate to introduce legislation because this was a social question. But there need be no such hesitation, because they had introduced legislation in respect of other

social questions even in contravention of that portion of *Manu-smrithi* which referred to women's rights. Unless Government interfered, no progress could be achieved. Legislation alone could end the quarrels about the right of the Harijans to use a public well or tank.

MR. A. NARAYANA IYENGAR, in opposing the resolution, observed that the main points to be considered were whether legislation was necessary and if so, whether the Adikarnatakas would be benefited by it. In regard to tanks, reservoirs, roads and markets being used by the depressed classes, he pointed out that the higher castes had no objection and there had not arisen any occasion where the depressed classes had been prevented from exercising that privilege. As regards wells, the caste Hindus generally would not allow the depressed classes to use them. But if there were no separate wells for the depressed classes, they were being permitted to use the common well; nobody would deny water to them in such cases. If that was not the case, how could the depressed classes have lived all these years? So there was really no difficulty even in respect of wells. But on that score it was not expedient to say that all the wells should be thrown open to the depressed classes. Among the depressed classes themselves there were two sects known as *balagai* and *yedagai* and they would never agree to unite or draw water from a common well. Secondly, there were not many Panchama houses in the villages; but those of the other communities numbered many; and if the few Panchamas wanted to take water from the wells used by other castes, the latter would naturally feel aggrieved and that would certainly lead to breaches of the peace. In such cases, he asked whether police help would always be available to restore peace. He for one was not quite sure of that. Such a thing had actually happened in Doddabaganahalli, Hassan Taluk, a few years ago. But for the timely intervention of local officers there would have been severe rioting there. Under such circumstances he thought there should be no coercion in all such matters. It was not difficult for the Panchamas to have separate wells for themselves. The concerned local bodies could easily construct them. None would object to that. In these circumstances there could be no justification for asking that, as a rule, all the existing drinking water wells should be thrown open to the depressed classes.

As regards chattrams, he said that there were not many of them and even the few that existed were used only by

pilgrims and other *musafirs*. And if they were once thrown open to the depressed classes, the result would be that the pilgrims would never use them again and the buildings themselves would remain in disuse and disrepair and gradually crumble down.

As regards rest-houses, they mostly referred to *musafir-khanas* to which only well-to-do people resorted, paying rent. He did not see any purpose in including them in the resolution.

Then, the words "other places of public utility" were too general and what exactly was meant by them had not been made known. Perhaps they were only put in as the thin end of the wedge with the object of pleading later on that nothing was outside the scope of the resolution.

On the whole, he said, the resolution could not be accepted as it would not make for peaceful life in the villages. In conclusion the member desired to tell such of the members as were anxious to ensure the progress of the depressed classes that their object could not be secured by their being content with living in the cities and sending up resolutions. A better way would be for them to go to the villages and live in the midst of the depressed classes to teach them clean habits, give them education and dissuade them from drinking and from eating carcases.

MR. B. GOPALACHAR, in opposing the resolution, observed that nobody objected to the progress of the depressed classes. But whether legislation would be helpful to their progress was the point at issue. He for one thought that legislation would do more harm than good to the cause. And further, legislation might perhaps become necessary only after propaganda and compromise had failed. It could not be said now that propaganda and education had failed. The movement had begun only a few years ago and had made rapid strides already; irrespective of considerations of caste, members sat side by side in the Assembly and mixed with each other freely; the children of the depressed classes sat side by side with those of the higher communities in all Government schools. And if this state of affairs continued, he was sure that very soon there would be no more talk of untouchability since everything would have adjusted itself. For these reasons, he thought that legislation was unnecessary. Legislation meant compulsion, and compulsion was not conducive to healthy progress.

MR. NILIGIRI G. SANJIVIAH, in supporting the resolution, asked the Government what exactly was meant by

saying that propaganda alone should help to abolish untouchability. Beyond mentioning the word "propaganda," they had not clearly indicated the lines on which propaganda should proceed and for how long.

Some members had said that legislation was unnecessary because even without it the depressed classes were mixing with higher caste people. But the same argument could be employed in favour of legislation. It might be that members of the depressed classes sat side by side with those of other castes in the Assembly, but such a thing did not happen in the villages.

Some others had said that the depressed classes should be induced to give up their unclean habits as a condition precedent to the grant of any rights of citizenship. He thought that that argument was not tenable, because members of some other castes were also eating flesh and yet they were exercising those rights and privileges. Though in the name of *shastras* the higher castes themselves were doing those very things which they advised the depressed classes to give up, yet they had not forfeited their right to use all places of public resort. In conclusion he requested Government not to go against the wish of the Assembly that the depressed classes should enjoy all reasonable privileges. The Government's attitude in this connection should not be inconsistent with the attitude they took when throwing open all Government schools to students of the depressed classes also. After all, it was necessary to remember that all places of public resort were constructed out of general revenues of the State which included the hard-earned money of the depressed classes and as such these people were as much entitled to use those places as anybody else. With these words he requested Government to accept the resolution.

MR. H. R. T. RAJAGOPALA MUDALIAR, in opposing the resolution, said that so far as he knew the depressed classes were not experiencing any hardships for want of a legislative measure like the one under consideration. The hardships which they were alleged to have been subjected to were all in the imagination of those who narrated them. He ventured to think that the object of those members was to gain cheap notoriety as sympathizers of the depressed classes. The Government should maintain strict neutrality in all religious and social matters; they should not compel anybody to act against his own conscience; and they had no authority to take away the rights and privileges of any communities. The Mysore State was once under Mahomedan rule

but the Muslim rulers did not compel their Hindu subjects to embrace Islam. At the present time the State was under a Hindu ruler and he was not compelling his Mussalman subjects to become Hindus. So also in the matter under discussion Government should not compel the caste Hindus to admit the depressed classes to all places of public resort and thus virtually absorb those classes into their own fold.

Referring to the threat that unless certain privileges were extended to them the depressed classes would have to embrace Christianity or Islam, the speaker said that these latter religions had come into being only recently; whereas the depressed classes existed from time immemorial. They were not enjoying these privileges in times that preceded the establishment of those religions and it would be unwise on the part of the depressed classes if they, under the influence of interested parties, wished to separate themselves from the Hindu fold. In conclusion he said that trouble was sure to arise especially in the villages if legislation was passed. These were matters which should be allowed to adjust themselves and Government interference, if at all, would only make matters worse.

Mr. W. H. Hanumanthappa, who supported the resolution, expressed surprise that there should have been any opposition to it. The resolution claimed for the depressed classes a just privilege and nothing could defeat that claim. There was no doubt that education and propaganda would be helpful to secure the object in view, but some practical action on the part of Government was also called for. A mere order from Government permitting them the use of water from wells would be a more effective propaganda than anything else done by others. Untouchability was a blot on the fair name of Hindustan itself. At the Second Round Table Conference, Mahatma Gandhi had to bend his head in shame on account of the existence of untouchability in India. He had been doing his best to abolish untouchability and on that account thousands of others also were devoting themselves to the same cause. But there being certain obstacles in the way, Government help was necessary to overcome them. It might be that Government hesitated to take action, thinking that there might be an uproar from the higher castes. But he would assure them that such uproars would die a natural death as had been the case in connection with the abolition of some other customs in the past. When the Sarada Act was introduced, there were wild protests from orthodox persons all over India due to theirapprehension

that the Hindu social system was being revolutionised. But after the Act came into force, the opposition died out until at last there was no semblance of it to-day. So also in the matter under discussion, if a bold step was taken, he thought that within a short time things would adjust themselves automatically.

MR. P. SUBBARAMA CHETTY, in replying to the debate, observed that it was a matter for great satisfaction that every one was in favour of removal of untouchability, though some members seemed to be doubting whether legislation was necessary to achieve that object. The main reason adduced against legislation was that Government should not interfere in social matters. But his reply to that view was that Government had not maintained strict neutrality in all social matters. For instance, two or three decades ago they had enacted social legislation in raising the marriageable age of girls. And more recently they had amended the Hindu Law even against the Code of Manu.

Next, referring to the apprehension of certain members that the resolution was all-inclusive and might be the thin end of the wedge, he assured them that it was not so; in fact he had purposely omitted the question of temple entry from the resolution since he wanted it to be non-controversial and acceptable to all, though the resolution moved by Mr. Venkatappa and passed by the Assembly at the previous session included that question also. Tanks, wells, and *musafirkhanas* were the three places of public utility mentioned in the resolution, and the Member in charge had said that Government had recognised the right of the depressed classes to the use of most of these places of public resort. Orders had also been passed in respect of a particular tank; but, was it possible for them, he asked, to go on issuing orders in respect of each and every tank?

It looked to him that some of the opposers of the resolution were perhaps afraid that the resolution, if passed, would also bring to the forefront other inconvenient questions like inter-marriage and inter-dining. If that was so, he would assure them that his object was far from that. Even Mahatma Gandhi had clearly indicated that the question of inter-dining and inter-marriage should not be mixed up with the general question of abolition of untouchability. What was now desired was that the depressed classes might be given some ordinary rights and privileges of citizenship. Pandit Madan Mohan Malaviya, than whom there was no more orthodox Brahmin in the whole of India, had permitted

Harijans to enter the temple situated within his own house. But, even such a step had not been contemplated in the resolution. While that was so, there was no reason why unwarranted fears should be entertained. The great Sri Ramanuja himself had conceded all reasonable privileges to the depressed classes, and so it was difficult to know why his followers should oppose this simple resolution.

Referring to the view put forward by the opposers that the object in view could well be achieved by propaganda, he pointed out that propaganda was being carried on and its results were also being felt here and there. For instance, in Kengeri, the *Savarna* Hindus and the *Avarna* Hindus joined together and conducted *Bhajana* processions. In the recent *Ganapathi Utsavam* at Bangalore, the *Panchamakeri Utsavam* also participated. But much work still remained to be done and it would take very long before the object in view was achieved without Government help.

More than one member feared that legislation would cause a breach of the peace in villages. There was no reason for it. The same kind of fear existed when schools were thrown open to depressed class students but now all were sitting side by side without any objection. The same thing would happen even after the resolution under discussion was passed and given effect to. The Government of Bombay had enacted legislation in this direction. The Government of Central Provinces also had been considering the question. And nothing untoward had happened there. In conclusion he pleaded for a broad vision on the part of the House as well as the Government in respect of the resolution and appealed to them to uplift the depressed classes by passing it.

THE SECOND MEMBER OF COUNCIL, replying on behalf of Government, observed that although the resolution brought forward now was more definite than that discussed at the previous session of the Assembly, Government were still of the opinion that there was no necessity for legislation on the lines proposed. Government had already passed a number of orders according to the depressed classes the common rights of citizenship. Strict orders had been passed to throw open all Government schools to students of the depressed classes and these were now being admitted without any difficulty whatsoever. About the roads also, the depressed classes had not experienced any difficulty. As regards tanks, they had some difficulty in a few places and Government had taken necessary action to obviate it; in a

certain village of the T.-Narsipur Taluk, for instance, there was some trouble in regard to allowing the depressed classes to use the tank, but the Deputy Commissioner gave strict orders to the subordinate officers to see that the depressed classes were not put to any difficulty in that respect. So the only point for consideration was whether legislation should be resorted to when things were progressing smoothly. On this point there was difference of opinion among the members of the Assembly themselves; some thought that legislation was necessary and some others that it was uncalled for and that it would do more harm than good to the cause. This latter opinion, he said, Government also shared. They considered that if well-organised propaganda was carried on for a time, there would be no necessity for legislation. There was no doubt that legislation would become necessary if propaganda failed. And what facilities were called for from Government in respect of propaganda would also be considered separately. The mover had said that even civil courts would recognize *mamool* and that therefore legislation was necessary. But there had been no such ruling of the High Court and there was no reason to suppose that that would be the case. Conditions at present were not the same as 20 years ago. This was due to propaganda and education, and if these continued, within a short space of time untouchability might altogether disappear.

THE DEWAN observed that in respect of tanks, Government would issue general orders with a view to obviating the difficulties complained of. As regards wells, he thought that there was no difficulty since a sufficient number of them were being provided wherever necessary. There was also no difficulty whatever in the matter of roads. As regards chattrams, however, there might be some distinction made, but fresh difficulties might arise if Government undertook legislation in that respect, since all those that liked to resort to them were not strict vegetarians.

MR. R. GOPALASWAMY IYER requested that the general order about throwing open tanks to the depressed classes should lay down that both irrigation and drinking water tanks be thrown open to them.

THE DEWAN replied that he had no objection to that.

As regards drinking water wells for depressed classes, MR. GOPALASWAMY IYER requested that local bodies be asked to provide them in all places.

THE DEWAN replied that he would consider that suggestion also.

In view of these sympathetic replies of the Government the mover withdrew the resolution by leave of the House.

Resolution No. 4.

"This Assembly recommends to the Government of His Highness the Maharaja that legislation be introduced for regulating and controlling the business of pawn-brokers and money-lenders in the State."

MR. M. P. SOMASEKHARA RAO, in moving the resolution, pointed out that there were many classes of money-lenders in the State—the local men, the Marwaris, the Natukotte Chettiars, the Multanees, the Saits and others—and each class had its own system of keeping accounts and transacting business. The accounts were not kept in any particular language. They were not understandable even if produced, and even courts of law had to depend upon whatever was stated by them. Not only was the rate of interest charged by most of them very excessive but cheating, threat, coercion, intimidation and things of that sort were not foreign to them. Money was being advanced by them at abnormal rates of interest on anything and everything pawned, not excluding even stolen properties. It was very necessary, in the interest of the general public and particularly of the raiyats, to put a check on all such transactions and accounting. He pointed out that in England there was a law governing such transactions. In India also, in the Punjab there was a legislative enactment in that behalf. In Bengal recently a law had been introduced. And Madras had just appointed a committee to recommend the lines on which such transactions could be brought under proper check.

He next suggested the lines on which legislation might be taken up here. Money-lenders should first get themselves registered. They must keep detailed accounts in the prescribed form and language. They must present them for inspection whenever called upon. If a debtor desired copies of the documents and accounts to be furnished, the money-lenders must be made to furnish them.

As regards the pawning business, he said that the pawn-brokers must be asked to obtain a licence for it, and the licence should be liable to be cancelled for any misconduct. In England there was such a provision, and even if there was a mere suspicion of misconduct, licence was cancelled. Such a thing might be adopted here also with advantage.

In this connection, he pointed out that the Usurious Loans Regulation had not provided any practical relief to

the public. No fixed rate of interest was allowed by judges. In some cases 4 per cent was allowed; in others 2 per cent was allowed and in some others 6 or 7 per cent; in a few cases even higher rates were allowed. It all varied according to the interpretation given to the circumstances of each case. It was absolutely necessary to define the particular rate of interest that should be allowed in each kind of transaction. He therefore requested the Government to accept the resolution and take necessary steps to control all the transactions of money-lenders and pawn-brokers of various descriptions.

MR. CHANNAVEERAPPA, in seconding the resolution, explained the difficulties and hardships felt by debtors who had got into the clutches of the money-lenders and pawn-brokers. The rate of interest charged by Government on loans advanced was 5 per cent or 6 per cent per annum but the rates charged by the money-lenders were 4 or 5 per cent per month and even more at times. They went to the villages and advanced loans at the rate of one pie per rupee per day. Consequent on this, many villagers had been ruined. The money-lenders never cared for decency in their determined efforts at recovery of loans. Some of them joined together, went to the homes of the debtors and threatened them and even their families with physical force. They also went to offices and gave a lot of trouble to the debtors. At times they flogged the debtors with lathis or whips which they always carried in their hands. All these things should never be tolerated. In these circumstances, he appealed to Government to accept the resolution and take necessary steps to prevent the havoc played by these foreign money-lenders, particularly in view of the very hard times through which poor people were passing.

MR. HOSAKOPPA KRISHNA RAO, in supporting the resolution, observed that at a time like the present when the economic condition of the people was worsening from day to day, it was very necessary that there should be legislative measures to prevent the harassment by money-lenders which had already made life impossible for most debtors. The difficulties complained of having arisen in all parts of British India, the respective Governments had taken action to obviate them. The agriculturist did not realise adequate prices for his crops and the petty merchant had no capital for carrying on his business; at such a time it could be easily recognised that debtors could not pay ruinous rates of interest.

As regards pawning, the money-lenders kept no accounts at all of the transactions. Usurious rates of interest were charged and no receipts were given for the moneys paid. If the instalments were not paid, the Sahucars resorted to courts, obtained and executed decrees and deprived the debtors of what little means of living they had. In many cases, the interest itself came to many times more than the principal and all payments made were being credited to interest account and thus the principal itself would always remain undischarged. The courts were not exercising any discretion in awarding decrees. The rates stipulated were generally allowed in full. Hence Government should come forward to help the debtors. When the Agriculturists Relief Act was introduced, the economic position of the people had become bad enough but now it was still worse. The necessity for legislation to control the transactions of the money-lenders was therefore imperative. The rates of interest leviable would have to be prescribed in the Regulation itself. And whatever measure was passed must strictly be enforced so that the benefit of it might reach the oppressed debtors. It might be necessary to appoint a committee to recommend the lines on which legislation should proceed, and also to appoint a special agency for giving effect to it, that agency being given the same power as law courts. These were however matters of detail and could be gone into later on. But as regards the necessity for a special law, there could be no difference of opinion and Government should have no hesitation in passing it.

Khan Bahadur MAHOMED ABBAS KHAN, CAPT. Y. V. AYYA and MR. H. B. GUNDAPPA and many others said that all members of the House were agreed about the necessity for passing a law to control the money-lenders and pawnbrokers.

THE SECOND MEMBER OF COUNCIL, replying on behalf of Government, observed that the question was one of great importance and Government had every sympathy with the resolution under discussion. They were therefore pleased to accept the principle underlying the resolution and would take needful action as soon as practicable. The question was under examination for some time past in various parts of India and some of the Provincial Governments had already taken action. In Mysore also, there was the Agriculturists Relief Act and the question whether that could be extended to all parts of the State was engaging the attention of Government. Government proposed to convene

as soon as practicable a special meeting for the purpose of ascertaining opinions as to whether such a step would satisfy all the requirements of the case and then take suitable action.

Satisfied with the reply of Government, the mover withdrew the resolution by leave of the House.

The Assembly then adjourned for lunch and re-assembled at 3-30 p.m.

Resolution No. 5.

MR. T. MARIAPPA moved the following resolution :—

" This Assembly recommends to the Government of His Highness the Maharaja the necessity of constituting a Public Services Commission for higher appointments and of a Staff Selection Board for other appointments."

In doing so, he said that the Government appointed the Miller Committee as they were convinced that one particular community was having the benefit of all Government appointments and passed orders on the report submitted by the committee. According to those orders, the members of the backward classes had to be preferred in selecting candidates to the services. But in spite of such orders, many members of the backward communities had not so far got adequate representation in the services. This was due to the fact that personal considerations prevailed in the selection of candidates, and so, many deserving men of the backward communities had been denied their chances. With a view to remedy this defect, this resolution was tabled. Government should not think that the representatives of the people were unjustly criticising their actions. It was not so. On the other hand, the members were fully aware that Government were actuated by the best of intentions. But it was a matter for regret that the officers responsible for carrying out the policy of Government were trying to evade the rules under some pretext or other. In higher appointments, there were very few non-Brahmin officers. It might be contended that the orders on the Miller Committee Report should not apply to higher appointments and that promotions in those grades should be made only on considerations of service and efficiency. If such a principle was accepted, it would be very difficult for the members of the backward communities to rise higher in the service. At present, a large number of educated young men of the backward classes were available

for employment, and their talents were going unutilized for want of opportunities. He was sure if they were given chances to work, they would also serve His Highness' Government to the best of their ability. Let them be given higher appointments. Any number of small appointments would not satisfy them so much as a few appointments in the higher grades of service. In the adjoining Madras Presidency there was a Staff Selection Board for the recruitment of candidates to the subordinate services. There was also a Public Services Commission to select candidates for higher appointments. He could not understand why the same thing was not done in the State which in every other matter was so anxious to copy Madras. Rules of recruitment had been revised and liberalised in almost every province or presidency. Madras, for instance, had adopted the rotation system for selecting candidates which resulted in each community getting its share of appointments. That was a very satisfactory system. For instance, if there were a dozen appointments, five would go to Hindus, two to Mahomedans, one to depressed classes, one to Eurasians and so on. Such a system should be introduced here also so far as the lower appointments were concerned.

In respect of higher appointments, it might be said that their number being very few in Mysore unlike Madras, the constitution of a Public Services Commission was unnecessary. But as the principle underlying it was a wholesome one, and as no interest would be prejudiced by accepting it, there should be no hesitation on the part of the Government in appointing such a body. The formation of such a body would create confidence in the minds of the public.

With these remarks, he commended the resolution for the acceptance of the House.

In seconding the resolution, MR. RAMIAH SETTY of Hosdurga said that for want of a Staff Selection Board only one particular community was having all the loaves and fishes of office. It was very necessary to constitute a Staff Selection Board to set right that defect.

MR. H. B. GUNDAPPA GOWDA in further supporting the resolution explained that it was made up of two parts, *viz.*, (*i*) the constitution of a Public Services Commission and (*ii*)the constitution of a Staff Selection Board. The Miller Committee was appointed in the Mysore State long before the Madras Government ever thought of taking action in the matter, but the latter had already achieved the object which the Mysore Government had in view when they appointed

the Miller Committee. The reason was that the system in Mysore was defective and this again was due to the fact that officers belonging to the community which had already secured a large number of appointments and therefore commanded great influence with the Government, naturally selected their own candidates only from within itself, so that members of other communities which had no representatives in the service to help them could not get into service. If this was the case in respect of lower appointments, it was much more so in the case of higher appointments.

Continuing, the speaker said that it was an irony of fate that while other parts of India were favouring a rule by the majority and agreeing that the minority communities required to be safeguarded, in Mysore, the minority communities were holding almost all the higher appointments and the majority communities had to be safeguarded by means of special measures. It was not the object of the speaker that all appointments should be given to the majority communities only; but it was his grievance that they were not having even the share legitimately due to them. On principle, the community that provided the bulk of the general revenues of the State and had vested interests ought also to get the bulk of the appointments under the Government. But that was not the case at present. Fourteen lakhs of Vokkaligars who were the backbone of the administration secured only 4 per cent of the appointments; 12 lakhs of Adikarnatakas, 2 or 3 per cent; and 7 lakhs of Lingayets, 7 per cent. And yet, the representation of the minorities in the State service was still increasing. Such an injustice should no longer be prepetuated. Naturally, no community would rest satisfied until it had secured its due share of appointments in Government service. It might be that some of the communities were unable and some others unwilling to express their discontentment effectively, but all the same it was the duty of the Government to grant them their due share. Because Government had not done so, the Vokkaligar community had suffered much in that respect. For example, there were only 4 Vokkaligars holding higher appointments and a like number in the Amildari service. This could by no means be considered adequate for the community which bore the brunt of all taxes; there were many educated and qualified men from it who had not been given chances of getting into the service. To overcome these defects, the rotation system which was in vogue in Madras should be introduced here.

In this connection, MR. GUNDAPPA said that the Central Recruitment Board had recommended the adoption of the rotation system so long back as 18 months ago. But the Government had not yet passed any orders on the subject in spite of the fact that the resolution had been passed unanimously.

In conclusion, the speaker pressed for the appointment of at least a Staff Selection Board forthwith, even if the other proposal about a Public Services Commission be rejected. Otherwise, members of the backward classes would no longer be induced to undergo higher education. The interests of the Vokkaligars needed to be protected much more effectively than in the past. Even the few appointments that had gone to the backward communities had gone to a few favoured communities other than the Vokkaligars and that was the reason why the rotation system had to be adopted. He therefore requested the Government to pass early orders accepting that recommendation.

On behalf of the Government, the FIRST MEMBER OF COUNCIL observed that though the resolution related to a matter of considerable importance, there was no need for any lengthy discussion on it. The resolution was comprised of two parts, *viz.*, appointment of a Public Services Commission for distributing higher appointments, and secondly, the constitution of a Staff Selection Board for selecting candidates for lower appointments. Regarding the Public Services Commission, Mr. Gundappa himself had expressed the view that the urgency for constituting it was not very great, and he was also of the same opinion. There was need for a Public Services Commission in countries where the system of Party Government was in vogue, its object being to prevent the party in power from filling up all the appointments by its own men. There was no room for any such complication in the Mysore State. Besides, the number of vacancies in the higher grades of service were few and Government selected only the best available men to those places. In fact, the appointment of a Public Services Commission in Mysore would result in greater evils than those against which members were complaining.

Referring to the previous speaker's allegation that in making appointments, personal considerations and recommendations were playing an important part, he did not think that, even granting for purposes of argument that allegation was true, the constitution of a Public Services Commission could put an end to it. But the fact of the

matter was that, as already stated, Government were selecting the best available men from all communities for the higher appointments and even amongst such men, selections were being made with due regard to the principle of giving adequate representation to the various communities. This was how, for instance, in the matter of the selection of Revenue Probationers recently, 7 out of 8 appointments had been given to non-Brahmins. The selection of Police Probationers also proceeded on similar lines. Even the selections made by the Inspector General of Police to the grade of Sub-Inspectors gave no scope for any complaint.

As regards the Staff Selection Board, the Member said that there might be some necessity for it. At the same time, he regretted to say that while Government accepted the principle that every community should be represented in service, it would be impossible to assure each and every community that it would get representation in exact proportion to its size and importance.

Regarding the question of constituting a Staff Selection Board, the Member observed that there were some practical difficulties in the way of accepting the proposals of the Central Recruitment Board. The Board had not recommended the appointment of a separate body but had suggested that it could itself discharge the duties of a Staff Selection Board, if necessary by being given some additional powers.

The other important recommendation made was the one about the rotation system. The Board had suggested that if there were 12 vacancies, 4 should go to Lingayets, Vokkaligars, and Kurubars; 1 to depressed classes; 2 to Brahmins and 5 to all the other communities. They further suggested that even among the Lingayets, Vokkaligars, Kurubars and other minor communities, there should be a system of appointing by rotation. In actual working this might be found to be a very complicated procedure and so there was some hesitation on the part of the Government in accepting it. In Madras, however, the procedure was very much simpler. They had divided the communities into Brahmins, Other Hindus, Depressed Classes, Mahomedans, Indian Christians, Eurasians and others. Such a proposition was quite workable so far as Madras was concerned. But in Mysore "Other Hindus" included Lingayets, Vokkaligars, Kurubars and so many other communities and so the scheme put forward by the Recruitment Board was bound to be found to be complicated in actual working. That was the difficulty in the way of Government accepting the recommendations of the Recruitment Board.

In summing up, he said that there was no need for a Public Services Commission; that the Recruitment Board itself, with certain additional powers, if necessary, might be able to discharge the functions of a Staff Selection Board, that there was some difficulty in accepting the recommendations of the Recruitment Board in the matter of the rotation system, but that certain rules of appointment in lieu of the existing rules were under the consideration of the Government. No doubt certain difficulties were being experienced by the candidates of the backward classes; these candidates were being entertained in temporary vacancies and as soon as those vacancies ceased, they were thrown out of service and they had to be re-appointed in other short-term vacancies as and when they occurred. To obviate such difficulties, certain draft rules had been prepared and were under consideration. But so far as the general principle was concerned, Government had accepted that 75 per cent of the appointments should go to non-Brahmins. Government were also taking all possible steps to achieve that end and hoped that in view of the above assurance the resolution would not be pressed to a division by the mover.

MR. H. B. GUNDAPPA GOWDA said that certain communities were going without any representation at all and requested that they should be given special chances of getting into the services.

THE FIRST MEMBER OF COUNCIL observed that the draft rules would provide for such cases.

MR. T. MARIAPPA said that if there was an assurance that Government would frame rules for application in the case of higher appointments also, there would be general satisfaction.

THE FIRST MEMBER OF COUNCIL observed that the members could see how the Revenue Probationers and Police Probationers had been selected and added that practical work was always better than oral assurances.

In view of the above assurances, the resolution was withdrawn by leave of the House.

Resolution No. 6.

MR. T. MARIAPPA moved the following resolution:—

"That in view of the continued fall in prices of agricultural produce and live-stock, and acute economic depression, this Assembly recommends to the Government of His Highness the Maharaja the

absolute necessity for reviewing the position of land revenue assessment in the State and of reducing the assessment either by a percentage or to the rates prevailing prior to the resettlement.

In doing so, he said that since 1929 the economic depression had been sapping the very life of the people. If an examination was made as to who suffered most on account of this depression, it would be found that it was the raiyat. For some time past, prices of food-grains had gone on falling and at the present moment they had reached a stage when the raiyat could hardly realise his cost of cultivation even if he sold all the crop raised by him. His position was very pitiable. After paying the heavy land assessment and cesses, he had nothing left for his food and for meeting his other obligations such as education of his children and so on. He had no other source of income for meeting all these charges. But that was not the case so far as Government servants were concerned. They had an assured monthly income from which they could meet all their expenses, whereas the poor raiyat was not able to live like a human being though sweating throughout the year. If the Government accepted the resolution and gave effect to it, they would be giving great relief to the raiyats. On a previous occasion when a similar representation was made, the First Member of Council had been pleased to say that if the conditions remained the same, Government would see what relief measures would become necessary. But so far, the Government had not announced any concessions even though the conditions had become worse. The First Member of Council was no doubt pleased to observe that notice and *isthihar* fees would be remitted if the land revenue was paid up. But that was too small a concession. The situation warranted a substantial relief being given to the raiyats. Whether the assessment which a raiyat was paying was in proportion to his revenue should be carefully examined. The land revenue rates were fixed some thirty years ago and they were based on certain conditions existing then. Whether those conditions existed to-day would have to be examined. How far the agriculturist himself was responsible for improving his land and what amount of money he had spent for it and such other considerations were not taken into account during resurvey, but assessment had been enhanced simply because the land had improved. This was why every survey settlement resulted in enhanced assessment. Consequently, the raiyat had been crushed by the heavy burden of assessment with no hope of recovery. It

was high time that the Government took pity on him and reduced the rates of assessment to the pre-resettlement level. Nobody would oppose such a measure. Session after session the matter was coming up before the Government in the shape of interpellations, representations and resolutions, but the cry of the members had so far been a cry in the wilderness. The time had now come for the Government to give substantial relief to the raiyats and thus earn their lasting gratitude. With these remarks, he commended the resolution for the acceptance of the House.

MR. L. VEMA REDDY seconded the resolution. In doing so he said that the resolution had been persistently coming up before the Government for some time past and it was the first duty of the Government to give relief to the raiyats. The country was not an industrial country, but a purely agricultural country. As such the agriculturists were its backbone and on their prosperity depended the prosperity of the State. It might be said by the Government that as the members were in one and the same breath asking for reduction of assessment as well as for additional grants under various heads, they would not be in a position to comply with both the requests. Of course, Government should see that both of them were equally important. While the burden of assessment on the raiyat should be relieved, additional grants under some heads should also be provided for. But that would be possible only if the expenditure incurred on certain other departments by the Government was reduced. Unless this was done, the representations of the members could have no effect. No doubt the Government had appointed a number of retrenchment committees in previous years, but they had not been of any help so far as the raiyats were concerned. Their burden had not been lightened to any extent, and they had remained in the same precarious condition; if at all, they were worse than before. All the members of a raiyat's family—from a boy of 4 years up to an old man of 80 years—were toiling from morn till night and yet all their earnings were not sufficient to meet the assessment and keep their body and soul together. They had no food to eat, no clothes to put on and they were leading a miserable existence. The Government might be under the impression that the raiyats were saving all their income and were feigning poverty. If it was so, he would hasten to assert that that was a wrong impression. The richest raiyat in any village did not earn in a year as much as a month's pay of a high officer of the State.

He did not enjoy even the bare necessities of life, and the life he led was far below the standard of civilised men. That was the very reason why the cry for an economic survey of the State had been so loud all along. Government had appointed a committee to investigate the conditions of the Kolar District, but that committee consisted only of the Survey Superintendent, the Revenue Commissioner and the Deputy Commissioner. There were no non-officials on it and the information they relied upon for arriving at decisions had been collected in advance of their visit to the district. There was no regular examination of witnesses and all the information furnished was cooked up. They arrived in motor cars, stayed for a short time, collected some statements and hurried back to headquarters. How could such a committee be of any help to solve the problem? It was a fact that Government officers by themselves could never solve the question. Both Government and the people should put their heads together in the matter. That meant that Government should constitute a committee consisting of officials and non-officials to investigate the matter, and suggest ways and means of affording adequate relief to the oppressed raiyats.

In conclusion, the speaker referred to the high rates of assessment obtaining in the Kolar District. He said that the First Member of Council had, during his recent tour in the Kolar District, occasion to inspect certain lands in the villages bordering the Madras Presidency. During that inspection, he had come to know that whereas the rate of assessment in the Madras Presidency was between 6 and 8 annas per acre, the lands adjoining them in the Mysore State were assessed at Rs. 2-4-0 per acre. That showed that the rates had to be reduced.

THE FIRST MEMBER OF COUNCIL observed that the resolution did not specifically refer to the Kolar District.

MR. L. VEMA REDDY said that his reference to the high incidence of taxation in the Kolar District was only meant to strengthen his argument for the grant of relief to the raiyats.

MR. H. B. GUNDAPPA said that there was no need to discuss the matter at any great length. Every raiyat needed relief. The Government knew the difficulties of the people and the people knew the difficulties of the Government. The people knew at the same time that Government here were not in a worse position than Travancore, for example. The Travancore Government had sanctioned a remission of 12½ per cent. A similar gesture on the part of the Mysore Government would be most opportune. When a certain deputation

of agriculturists waited on the Dewan to represent their grievances in the matter about three years ago, he was kind enough to give a sympathetic hearing, but that sympathy had not yet been translated into action. The condition of the raiyats had gone worse since then. The raiyats had been paying kandayam for hundreds of years; they had willingly agreed to pay all the cesses imposed from time to time. On no previous occasion had they approached the Government for remission. And at a time when they were really in a difficult situation and asked for some relief, was it not the duty of Government to give them some relief and thus earn their gratitude? If the Government found it difficult to sanction any remission, at least they might order suspension of collection of 25 per cent or even 12½ per cent of the demand.

Some members were not in favour of suspension of assessment, but pressed for remission.

MR. H. K. MADAIYA said that as this was the last session of the present Assembly, a definite announcement by the Government on the lines of the resolution would have a wholesome effect throughout the State. It would put fresh heart into the members to work more strenuously for the raiyats in future. They could also face their constituents boldly in the coming elections. Otherwise it might so happen that some of them would have to give up their lands and go away to other presidencies.

MR. BALE SIDDALINGA SETTY represented that at least till the prices of food-grains improved, some special concession might be shown to the raiyats.

MR. HOSAKOPPA KRISHNA RAO said that ever since the commencement of the session, the members had been eagerly expecting an announcement from Government in the matter of relief to the raiyats. Whether it should be in the shape of permanent reduction or temporary suspension was a matter which they would leave for decision after taking into consideration the actual situation. On the one hand, the present economic depression was unparalleled; and on the other, the term of the Assembly was coming to a close. In view of such a peculiar combination of circumstances, it would be very appropriate for the Government to make a welcome announcement and enable the members to return to their places with the satisfaction that they had secured something for their constituencies.

On behalf of the Government, the REVENUE COMMISSIONER said that it was a matter of common knowledge that the prices of agricultural produce had gone down considerably.

For a few years after the war, high prices prevailed, but latterly they had gone down very much and remained stationary for some time past. They had now reached a level which existed 20 or 25 years ago, and consequently the raiyats were undergoing some difficulty. Government were fully aware of that. And the question as to what measures of relief were necessary had been engaging the attention of the Government ever since the economic depression began to oppress the raiyats. During the previous year, Government had issued orders directing the Deputy Commissioners to remit notice and *isthihar* fees in cases where the parties were unable to pay them. Also, in the case of lands resumed to Government for non-payment of assessment, it had been ordered that they might be given back to the parties on payment of the actual assessment due. As a result of this order, many lands had been restored to the parties.

MR. L. VEMA REDDY pointed out that as the Amildars' capacity was gauged by the percentage of collections made by them, they were collecting the land revenue with an iron hand; and so long as such an attitude influenced the actions of local officers, any number of Government orders could not give relief to the poor raiyats.

THE REVENUE COMMISSIONER said that that was not a correct understanding of the situation. Mere collections were not the criterion for giving promotions to Amildars. A perusal of the circular issued would show that the concessions granted therein were such as had not been granted to the raiyats for 20 years previously. That only showed that, as and when need was felt for granting any concession, Government had promptly granted it to the raiyats. But what was asked for in the resolution was a percentage reduction in the assessment. Some prayed for a reduction of 2 annas or 4 annas in the rupee and some prayed for suspension of collection. Whichever of these requests was considered, one difficulty would become obvious. A reduction of 2 annas in the rupee would entail a loss of Rs. 15 lakhs to Government, but the relief to individual raiyats would not be appreciable. There were about 869,000 khatedars paying less than Rs. 25 each by way of kandayam and a reduction of 2 annas in the rupee would amount to about Rs. 3 in each individual's case falling under that category. Those who paid kandayam of Rs. 5 each numbered about 428,000 and they would get relief to the extent of 10 annas each. So far as the smaller landholders were concerned, the measures proposed would bring them no tangible benefit. Instead of that, if coercive

processes were judiciously regulated, the raiyats would appreciate the relief to a greater extent.

It had been suggested by some of the members that assessments should be reduced to pre-resettlement rates. If that suggestion was adopted, it would result in enhancement of assessment in certain cases because, during the re-survey, the assessment had been reduced on garden lands and some wet lands, and inequalities of assessment had been rectified.

MR. H. B. GUNDAPPA said that at least in cases where assessments had been enhanced during resurvey, they might be reduced to their original level.

Continuing, the REVENUE COMMISSIONER said that more than the assessment, it was the indebtedness of the raiyat that was grinding him. So, more urgently than the question of reduction of assessments the question as to what steps should be taken in the direction of relieving the raiyats from indebtedness had to be considered. As had rightly been observed by Mr. Vema Reddy, the question of retrenchments in Government expenditure was also one of great importance in connection with the question of relief to agriculturists, but as the members knew, Government had already dealt with every aspect of it.

MR. H. B. GUNDAPPA and MR. HOSAKOPPA KRISHNA RAO interrupted the speaker and said that the question of relief to agriculturists ought to be treated as being quite independent of, and really more urgent than, the question of retrenchments.

Continuing, the REVENUE COMMISSIONER said that Government were constantly watching the situation and affording relief to agriculturists wherever they thought it was called for. For the present, as the First Member of Council had promised, notice and *isthihar* fees would be waived in addition to such special concessions as were already being shown in cases of undue hardship.

MR. H. KRISHNAMURTHYACHAR said that last year, the raiyats had to sell all their properties in order to pay the kandayam. This year, the crops had failed and they had no means of paying the assessments. It would be impossible for the Government to get anything from the raiyats even if all their belongings were auctioned out. At such a time, remission of mere *isthihar* fees or notice fees would not be of any help.

At this stage, all the members in a body stood up and appealed to Government to announce at least a small percentage reduction of land revenue assessment.

THE DEWAN observed that it was not possible for him to make any announcement off-hand in the matter. It was a very complicated question and required to be carefully considered. Government were aware of the difficulties of the raiyats and they would consider what kind of relief could be given to them. In the meanwhile, they had issued instructions to the Deputy Commissioners to be lenient in the matter of collections so as not to cause any undue hardship to the raiyat.

MR. L. VEMA REDDY feared that the raiyats would not get the benefit of those instructions as the Amildars would continue to take coercive measures.

MR. T. MARIAPPA appealed to the Government to assure the House that at least some remission of assessment would be given.

THE DEWAN replied that it was not possible to make any such general statement. But if it was found on further examination that land revenue was weighing too heavily on the raiyats in any particular taluk, Government would consider what relief could be afforded to them.

MR. BALE SIDDALINGA SETTY prayed that at least for the year 1933-34 some concession might be shown to the raiyats.

Rao Sahib M. RAMASWAMI and others prayed for substantial reduction in the assessment and said that the representation should not be regarded as applying to particular taluks. The situation was bad everywhere and both rich and poor were equally affected.

THE DEWAN replied that before the next collection season commenced, Government would take and announce a decision.

At this stage, the KANNADA TRANSLATOR TO GOVERNMENT read the Kannada version of the following concluding remarks of the Dewan :—

DEWAN'S CONCLUDING REMARKS.

MEMBERS OF THE REPRESENTATIVE ASSEMBLY,

We have now reached the end of a strenuous Session. But before I bring the proceedings to a close, I should like to refer to a few of the more important matters that came up for consideration at this Session.